

CONSUMER COMPLAINTS AND ISSUES

Consumer Affairs Branch

Consumer Service & Information Division

December 2005/January 2006

ENERGY Consumer Issues

Kudos to CAB from Legislative rep and constituent.

While making a January presentation to the Mobile Home Park Convention on master and sub-metering both a past complainant and a Senate staffer praised CAB work in the mobile home area.

A constituent thanked staff for CAB's resolution of her own complaint. Likewise, Senator Dunn's staff person, John Tennyson, expressed pleasure with CAB's handling of complaints in this area. Mona Dzvova and Harold Williams of CAB both focus on mobile home park issues.

Complaints stacking up against core gas aggregator.

CAB recently received four complaints about Accent Energy. Accent markets fixed price natural gas to core and non-core business customers. Accent is responding diligently, and one complaint has been resolved. Some of the details:

- **Slamming?:**—The customer alleged that Accent took her account after she refused a telephone solicitation to switch. Accent has since switched her back to SDG&E, and waived the \$678 cancellation fee, although third-party verification confirms her switch. (Case 060-02344)

- **Slamming2?:** Customer complained that Accent solicitation was to a non-English speaking employee, not the owner. After several months and requests, customer was switched back to PG&E.

- **From \$16 to \$1890:** This business customer's first bill from Accent was \$16, then \$100, then \$900 and most recently \$1890. The bills are not itemized and multiple months bills are combined.

After another two complaints were received this week, CAB has contacted Legal Division to review how these complaints should be handled.

\$1.3 million bill comes 34 months late.

Southern California Edison failed to bill one of a textile company's meters from January 2002 through October 2004. Even though the customer contacted the utility in May of 2002, this billing delay persisted. The company complained of extreme hardship due to the billing delay, and has posted an impound of over \$100K with the CPUC.

Edison's Tariff Rule 17 allows unrestricted backbilling of commercial customers for up to 36 months. Edison has offered a 10% reduction, which neither the company nor CAB believe to be adequate given the circumstances. The company has filed a formal complaint, and the impound has been transferred to Docket.

TELECOMMUNICATIONS

Consumer Issues

Verizon Select extends \$700K of “courtesy credits” to ISP.

Linkline Communications (an internet service provider) filed an informal complaint with CAB on September 2. By December 8, Verizon credited over \$700K to the customer “strictly as a courtesy.”

A forensic accounting firm had been unsuccessful in obtaining relief from Verizon, and brought this complex dispute to CAB. The accounting firm noted that many ISPs had gone bankrupt, and stated “countless unlawful billing activities concerning Verizon.”

The primary issue was DSL volume discounts, with the dispute centering on the timing and validity of certain documents. Verizon’s resolution mentioned the volume discount “contract that was signed only by Linkline.” Verizon’s position was that the discount did not apply. CAB nonetheless negotiated a resolution so that discount contracts were in Verizon’s words “dated back to August 1, 2004.” CAB representative Nancy Rodriguez facilitated this substantial settlement.

Less than 10 point type translates to over \$175K for customers.

Since October, XO Communications has consented to over \$175,000 in settlements due to contract deficiencies. XO provides service to business customers only. XO contracts had failed to comply with the 10-point font requirement of Public Utilities Code section 2890. XO agreed to either contract rescission, or waiver of early termination fees for any such contracts.

Settlements ranged from \$15 to over \$1,000 (seven cases).

Resolving this set of XO complaints has been a special project of CAB, and represents a breakthrough on compliance with section 2890.

ULTS re-certification complaints continue.

Over the last year, SBC customers have complained to CAB of not receiving the re-certification form for Universal Lifeline Telephone Service (ULTS). SBC typically takes the position that they sent the form. Even after SBC receives the re-certification form, SBC will not adjust the charges for that period during which the customer was billed the flat rate rather than the ULTS rate.

T-Mobile complaints up over 300%.

The last issue of Highlights reported that staff had seen a noticeable increase in T-Mobile complaints. Statistics show a monthly average of 76 complaints against T-Mobile during the last six months of 2005. This compares to 22 per month from 2003 through mid-2005, or a 346% increase.

VOIP: jurisdictional gap and customer confusion.

CAB has received calls regarding porting of service from voice over internet protocol (VOIP) to landline. The FCC preempted VOIP regulation, leaving a jurisdictional gap at the local number porting level. Many VOIP providers have no CPUC ‘U’ number.

Short takes

Phone restoration: too long, too untimely.

CAB has noted an increased level of displeasure regarding SBC/ATT's service restoration. Callers are making two different complaints. First, SBC is reportedly not meeting its commitment date. Second, scheduled dates can take up to a week.

Cambodian slamming complaints.

CAB has received several slamming complaints regarding ACN and the Cambodian community in the Central Valley.

COORDINATION with Other Divisions

Fones4All performing better...for now.

In the last issue, Consumer Services Division reported that it was extremely difficult for customers to reach Fones4All. CSID/ Telecommunications jointly sent a compliance letter. Fones4All's response stated additional customer representatives had been hired, and CSID found that phone responsiveness had improved. During January and into February, CAB has still received some complaints with the same problem. The Division will continue tracking complaints to identify service erosion.

Questions or comments?: If you have questions or comments about anything in this issue, please drop an e-mail to Steve Linsey (s.linsey@cpuc.ca.gov), and the Division will get back to you.